

Amendment to the claims

This listing of claims replaces all prior versions, and listings, of claims in the application.

Listing of Claims

1. (Currently amended) An isolated ~~gene~~ nucleic acid encoding the p51 promoter region ~~shown in the following (1) and (3):~~

~~_____ (1) DNA that encodes the p51 promoter region having the base sequence as set forth in SEQ ID NO: 1 of the sequence listing; and~~

~~_____ (3) DNA that hybridizes to the base sequence as set forth in SEQ ID NO: 1 of the sequence listing under a stringent condition, and that has p51 promoter activity.~~

2. (Cancelled)

2 3. (Currently amended) A recombinant plasmid comprising the ~~gene~~ nucleic acid of claim 1.

3 4. (Currently amended) A An isolated transformant or a transductant comprising the recombinant plasmid of claim 3. 2

5. (Cancelled)

6.-11. (Cancelled)